

March 15, 2022

**Via CM/ECF**

Hon. Lewis J. Liman  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Request to Deviate from Default Rules in Proposed Case Management Plan and Scheduling Order, *Jada McGill & Angie Velez v. City of New York, et al.*, No. 1:21-cv-08619

Dear Judge Liman,

The parties jointly submit this cover letter to request partial deviation from the default rules in the Case Management Plan and Scheduling Order regarding filing dates and discovery deadlines. The parties have agreed that these accommodations are necessary because of the unique aspects of the case and the nature of Plaintiffs' counsel, a law school clinic. During their Rule 26(f) conference, the parties agreed to the dates set forth in the attached case plan.

Plaintiffs Jada McGill and Angie Velez brought this suit following the New York City Police Department operation in City Hall Park/Abolition Park on July 22, 2020. Plaintiffs' counsel includes student attorneys in the Georgetown University Law Center's Civil Rights Clinic ("the Clinic"). The Clinic litigates in federal and state courts on a range of civil rights matters, including employment and housing discrimination, voting rights, employment discrimination, prison health conditions, and government transparency issues.

Accordingly, the capacity of Plaintiffs' legal team is subject to certain external factors such as the law school's academic calendar and the Clinic's regular staffing changes, including the departure and onboarding of new student attorneys each semester and the loss of significant capacity over the summer and winter holidays. To accommodate these factors, the parties respectfully request that the Court allow the below deviations from some of the default rules.

Paragraph 4: To Amend or Join Additional Parties

The parties agreed to a deadline to amend or join additional parties of June 20, 2022, 90 days from the date of the initial pretrial conference. This proposed deadline accommodates the fact that there are unnamed Defendants in this case, such as Officers John or Jane Doe, who have not yet been identified. Plaintiffs believe that this aspect of the case presents exceptional circumstances and justifies additional time to amend or join additional parties based on information about Doe Defendants that may be gained through discovery. Defendants' counsel has consented to this proposed deadline. The parties thus respectfully submit this proposed alternative to the default rules.

Paragraph 6: Fact Discovery Deadline

The parties agreed to a fact discovery deadline of September 21, 2022, 184 days (or six months) from the date of the initial pretrial conference. During the summer break (mid-May through late August 2022), no student attorneys are staffed on the Clinic's matters, and thus the capacity of the

Clinic is diminished during these months. For this reason, the parties are seeking to extend fact discovery into Fall 2022, when new student attorneys will continue representing the Plaintiffs. The parties believe that this aspect of Plaintiffs' representation justifies additional time for fact discovery and respectfully submit this proposed alternative to the default rules.

Paragraph 8: Expert Discovery Deadline

The parties agree to an expert discovery deadline of November 7, 2022, which is 45 days from the September 21, 2022 deadline for fact discovery agreed upon by the parties in paragraph six.

Paragraph 12: Motion for Summary Judgment Deadline

The parties agree to a deadline for motions for summary judgment of November 21, 2022, which is 14 days from the November 7, 2022 deadline for discovery set forth in paragraph nine.

The parties thank the Court for its consideration and look forward to discussing any scheduling issues at the upcoming conference.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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*\*Pro Hac Vice application forthcoming.*